

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JUNE 25, 2009**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

**SDR-34463 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: EVA AND ANDREW FRANK** - Request for a Site Development Plan Review FOR THE ADDITION OF A TWO-STORY, NINE-UNIT APARTMENT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED AND ZERO-FOOT BUFFERS ALONG PORTIONS OF THE NORTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 0.72 acres at 1774 Willow Trail and 3900 Melody Lane (APNs 139-19-802-001 and 003), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow)

**C.C.: 08/05/2009**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**22**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**0**

**City Council Meeting**

**0**

**RECOMMENDATION:**  
**APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda – Protest Postcards/Letters
8. Submitted after Meeting – Protest Postcards

Motion made by BYRON GOYNES to Hold in abeyance to 7/23/2009

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, BYRON GOYNES, KEEN ELLSWORTH; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-MICHAEL E. BUCKLEY, RICHARD TRUESDELL)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

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STEVE GEBEKE, Planning and Development, reported that the applicant proposed to combine an existing apartment site and a single-family residential site into an expanded apartment complex totaling 18 units. The residential home will be demolished to provide parking for the apartment complex. In addition, staff supported the waivers, as they are minor in detail and additional landscaping will be provided within the interior of the site. Staff recommended approval of the request.

ATTORNEY LIZ SOROKAC appeared on behalf of the applicant and reiterated some of staff's report. She added that the zoning is appropriate for the land use and noted that the applicant desires to eliminate landscaping around the pool area to ensure there is ample sunlight and to reduce the amount of plant material that ends up in the pool causing additional maintenance. She confirmed with COMMISSIONER EVANS the applicant's acceptance of the conditions.

JESS MEYERS, JAN FELLHAUA, PHIL EMERY, KOLANA S. DIXON and WILLIAM BURCHETT all expressed opposition to the proposal and preferred having a neighborhood meeting. MR. MEYERS pointed out that the proposed pool is located directly under power lines and is 12 feet from a bedroom window. He confirmed with CHAIR TROWBRIDGE that he would be amenable if there was a buffer, such as an eight-foot fence. MS. FELLHAUA expressed concerns with noise and lack of privacy for her tenants. MR. EMERY stressed that the area has a lot of children, and there is a nearby zoo. MR. BURCHETT was not pleased that the development would impact his privacy. They all agreed that there is an existing large amount of traffic on Melody Lane. There is a casino at the end of Willow Trail, and there are no street lights. Lighting comes from the residents' homes. Having an additional nine units and additional parking will only create more pedestrian traffic and possible negative elements. The residents did not believe the proposed development was appropriate for the existing neighborhood. At a minimum, they requested the applicant hold a neighborhood meeting, as well as comply with the required setbacks and build the eight-foot wall.

Although a neighborhood meeting was not required, ATTORNEY SOROKAC was happy to hold one prior to the July 23rd Planning Commission meeting, should the item be held in abeyance. She was also open to discussing the aforementioned recommendations made by the residents in attendance. In light of the opposition, COMMISSIONER GOYNES believed a neighborhood meeting would be beneficial and could alleviate some of the residents' concerns, as some have been in the subject community for over 10 years and are of senior age.

CHAIR TROWBRIDGE declared the Public Hearing closed.